

PATENT
674543-2001.2

D' 131. (Amended) A method for producing a transformed *Brassica* CC seed comprising obtaining seed from a plant of Claim 129 or 130, wherein the seed has a stable and yellow phenotype.

132. (Amended) The transformed *Brassica* CC seed of Claim 125 or 126.--

REMARKS

Claims 131 and 132 are amended without prejudice, without admission, without surrender of subject matter, and without any intention of creating any estoppel as to equivalents.

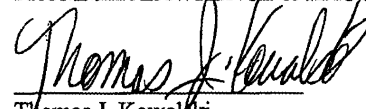
No new matter is added.

It is submitted that these claims, as originally presented and amended herein, are patentably distinct over the prior art cited by the Examiner, and that these claims were in full compliance with the requirements of 35 U.S.C. § 112. The amendment to the claims and the remarks made herein are not made for the purpose of patentability within the meaning of 35 U.S.C. §§101, 102, 103 or 112. Rather, the amendment and remarks are made simply for clarification and to round out the scope of protection to which Applicant is entitled. Support for the amended recitation in claims 131 and 132 is found throughout the specification.

The amendments herein are made solely to correct typographical errors. Entry of this Amendment and an early and favorable examination on the merits is respectfully requested.

Respectfully submitted,
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VERSION WITH MARKINGS TO SHOW CHANGES MADE

131. (Amended) A method for producing a transformed *Brassica* CC seed comprising obtaining seed from a plant of Claim [131 or 132] 129 or 130, wherein the seed has a stable and yellow phenotype.

132. (Amended) The transformed *Brassica* CC seed of Claim 125 or 126 [or 127].--

VERSION WITH MARKINGS TO SHOW CHANGES MADE

36. (Twice Amended) A transformed *Brassica* CC [plant, or cell, tissue, or seed thereof, or] genome [thereof] comprising one or more exogenous transparent seed coat genes obtained from a *Brassica* AA genome, whereby the transformed *Brassica* CC genome [plant] stably contains the exogenous seed coat genes and produces seeds having a stable and uniform yellow phenotype.

37. (Twice Amended) The transformed *Brassica* CC [plant, or cell, tissue, or seed thereof, or] genome [thereof] according to Claim 36 wherein said *Brassica* CC genome [plant] is transformed by a method comprising transferring one or more transparent seed coat genes of a *Brassica* AA genome into a *Brassica* CC genome, chromosome doubling and embryo rescue.

38. (Twice Amended) The transformed *Brassica* CC [plant, or cell, tissue, or seed thereof, or] genome [thereof] according to Claim 36 wherein the *Brassica* AA genome is an AA genome obtained from a *Brassica* selected from the group consisting of *Brassica campestris*, *Brassica napus* and *Brassica juncea*.

39. (Twice Amended) The transformed *Brassica* CC [plant, or cell, tissue, or seed thereof, or] genome [thereof] according to Claim 37 wherein the *Brassica* AA genome is an AA genome obtained from a *Brassica* selected from the group consisting of *Brassica campestris*, *Brassica napus* and *Brassica juncea*.

40. (Twice Amended) The transformed *Brassica* CC [plant, or cell, tissue, or seed thereof, or] genome [thereof] according to Claim 38 wherein the *Brassica* AA genome is obtained from *Brassica campestris*.

41. (Twice Amended) The transformed *Brassica* CC [plant, or cell, tissue, or seed thereof, or] genome [thereof] according to Claim 39 wherein the *Brassica* AA genome is obtained from *Brassica campestris*.

42. (Twice Amended) The transformed *Brassica* CC [plant, or cell, tissue, or seed thereof, or] genome [thereof] according to Claim 36 wherein the transformed *Brassica* CC genome is a transformed *Brassica napus* CC genome.

43. (Twice Amended) The transformed *Brassica* CC [plant, or cell, tissue, or seed thereof, or] genome [thereof] according to Claim 37 wherein the transformed *Brassica* CC [plant, or cell, tissue, or seed thereof, or] genome [thereof] is a transformed *Brassica napus* CC genome.

44. (Twice Amended) The transformed *Brassica* CC [plant, or cell, tissue, or seed thereof, or] genome [thereof] according to Claim 38 wherein the *Brassica* CC genome is a *Brassica napus* CC genome.

110. (Amended) A method for preparing the transformed *Brassica* CC genome [plant] according to Claim 36 comprising transferring one or more transparent seed coat gene of a *Brassica* AA genome into a *Brassica* CC genome, chromosome doubling and embryo rescue.

111. (Not Amended) The method according to Claim 110 wherein the *Brassica* AA genome is an AA genome obtained from a *Brassica* selected from the group consisting of *Brassica campestris*, *Brassica napus* and *Brassica juncea*.

112. (Not Amended) The method according to Claim 110 wherein the *Brassica* AA genome is obtained from *Brassica campestris*.

113. (Not Amended) The method according to Claim 110 wherein the *Brassica* CC genome is a *Brassica napus* CC genome.

114. (Not Amended) The method according to Claim 111 wherein the *Brassica* CC genome is a transformed *Brassica napus* CC genome.

115. (Not Amended) The method according to Claim 112 wherein the *Brassica* CC genome is a *Brassica napus* CC genome.

117. (Amended) The transformed *Brassica* CC [plant, cell, tissue, or seed thereof or] genome [thereof] according to Claim 36 wherein the *Brassica* AA genome is from *Brassica campestris* and the transformed *Brassica* CC [plant, cell, tissue, or seed thereof or] genome [thereof] is a transformed *Brassica napus* [AA]CC [plant, cell, tissue or seed thereof, or] genome [thereof].

118. (Amended) The transformed *Brassica* CC [plant, cell, tissue, or seed thereof or] genome [thereof] according to Claim 37 wherein the *Brassica* AA genome is from *Brassica campestris* and the transformed *Brassica* CC [plant, cell, tissue, or seed thereof or] genome [thereof] is a transformed *Brassica napus* [AA]CC [plant, cell, tissue or seed thereof, or] genome [thereof].

119. (Amended) The method according to Claim 110 wherein the *Brassica* AA genome is from *Brassica campestris* and the transformed *Brassica* CC genome [plant] is a transformed *Brassica napus* [AA]CC genome [plant].

121. (Amended) The transformed *Brassica* CC [plant, or cell, tissue, or seed thereof, or] genome [thereof] according to Claim 36 wherein the transformed *Brassica* CC [plant, or cell, tissue, or seed thereof, or] genome [thereof] is not derived from *Brassica carinata*.

122. (Amended) The transformed *Brassica* CC [plant, or cell, tissue, or seed thereof, or] genome [thereof] according to Claim 37 wherein the *Brassica* CC genome is not derived from *Brassica carinata*.

123. (Amended) The method according to Claim 110 wherein the transformed *Brassica* CC [plant, or cell, tissue, or seed thereof, or] genome [thereof] is not derived from *Brassica carinata*.

125. (Amended) The transformed transformed *Brassica* CC [plant, or cell, tissue, or seed thereof, or] genome [thereof] according to Claim 117 wherein the transformed *Brassica* CC [plant, or cell, tissue, or seed thereof, or] genome [thereof] is not derived from *Brassica carinata*.

126. (Amended) The transformed *Brassica* CC [plant, or cell, tissue, or seed thereof, or] genome [thereof] according to Claim 118 wherein the *Brassica* CC genome is not derived from *Brassica carinata*.

127. (Not Amended) The method according to Claim 119 wherein the *Brassica* CC genome is not derived from *Brassica carinata*.

129. (Amended) The transformed *Brassica napus* CC [plant] genome of Claim 125 which is *Brassica napus* 13-217 deposited as NCIMB 40991.

130. (Amended) The transformed *Brassica napus* CC [plant] genome of Claim 125 which is *Brassica napus* 13-219 deposited as NCIMB 40992.